



General Assembly

January Session, 2009

Governor's Bill No. 6384

LCO No. 2932

02932_____

Referred to Committee on Judiciary

Introduced by:

REP. CAFERO, 142nd Dist.

SEN. MCKINNEY, 28th Dist.

**AN ACT CONCERNING THE REGISTRATION OF SEXUAL
OFFENDERS.**

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Section 54-250 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2009*):

3 For the purposes of sections 54-102g, as amended by this act, and
4 54-250 to 54-258a, inclusive, as amended by this act, and sections 2, 3,
5 4, 7 and 8 of this act:

6 (1) "Conviction" means a judgment entered by the Superior Court, a
7 court of any other state, a federal or military court or a court of a
8 foreign country upon a plea of guilty, a plea of nolo contendere or a
9 finding of guilty by a jury or the court notwithstanding any pending
10 appeal or habeas corpus proceeding arising from such judgment or an
11 adjudication as a delinquent juvenile, as provided in Section 111(8) of
12 the Adam Walsh Child Protection and Safety Act of 2006, P.L. 109-248,
13 by a court of any other state or a foreign country.

14 [(2) "Criminal offense against a victim who is a minor" means (A) a
15 violation of subdivision (2) of section 53-21 of the general statutes in
16 effect prior to October 1, 2000, subdivision (2) of subsection (a) of
17 section 53-21, subdivision (2) of subsection (a) of section 53a-70,
18 subdivision (1), (4), (8) or (10) or subparagraph (B) of subdivision (9) of
19 subsection (a) of section 53a-71, subdivision (2) of subsection (a) of
20 section 53a-72a, subdivision (2) of subsection (a) of section 53a-86,
21 subdivision (2) of subsection (a) of section 53a-87, section 53a-90a,
22 53a-196a, 53a-196b, 53a-196c, 53a-196d, 53a-196e or 53a-196f, (B) a
23 violation of subparagraph (A) of subdivision (9) of subsection (a) of
24 section 53a-71 or section 53a-92, 53a-92a, 53a-94, 53a-94a, 53a-95, 53a-96
25 or 53a-186, provided the court makes a finding that, at the time of the
26 offense, the victim was under eighteen years of age, (C) a violation of
27 any of the offenses specified in subparagraph (A) or (B) of this
28 subdivision for which a person is criminally liable under section 53a-8,
29 53a-48 or 53a-49, or (D) a violation of any predecessor statute to any
30 offense specified in subparagraph (A), (B) or (C) of this subdivision the
31 essential elements of which are substantially the same as said offense.]

32 [(3)] (2) "Identifying factors" means fingerprints and palm prints, a
33 photographic image, and a description or photographic image of any
34 other identifying characteristics including, but not limited to, scars,
35 marks or tattoos, as may be required by the Commissioner of Public
36 Safety. The commissioner shall also require a sample of the registrant's
37 blood or other biological sample be taken for DNA (deoxyribonucleic
38 acid) analysis, unless such sample has been previously obtained in
39 accordance with section 54-102g.

40 [(4) "Mental abnormality" means a congenital or acquired condition
41 of a person that affects the emotional or volitional capacity of the
42 person in a manner that predisposes that person to the commission of
43 criminal sexual acts to a degree that makes the person a menace to the
44 health and safety of other persons.

45 (5) "Nonviolent sexual offense" means (A) a violation of section 53a-

46 73a or subdivision (2) of subsection (a) of section 53a-189a, or (B) a
47 violation of any of the offenses specified in subparagraph (A) of this
48 subdivision for which a person is criminally liable under section 53a-8,
49 53a-48 or 53a-49.]

50 [(6)] (3) "Not guilty by reason of mental disease or defect" means a
51 finding by a court or jury of not guilty by reason of mental disease or
52 defect pursuant to section 53a-13 notwithstanding any pending appeal
53 or habeas corpus proceeding arising from such finding.

54 [(7) "Personality disorder" means a condition as defined in the most
55 recent edition of the Diagnostic and Statistical Manual of Mental
56 Disorders, published by the American Psychiatric Association.]

57 [(8)] (4) "Registrant" or "registered sexual offender" means a person
58 required to register under section [54-251, 54-252,] 54-253, as amended
59 by this act, or section 54-254, as amended by this act, or section 2, 3 or 4
60 of this act.

61 [(9)] (5) "Registry" means a central record system and notification
62 program in this state, any other state or the federal government that
63 receives, maintains and disseminates information on [persons
64 convicted or found not guilty by reason of mental disease or defect of
65 criminal offenses against victims who are minors, nonviolent sexual
66 offenses, sexually violent offenses and felonies found by the sentencing
67 court to have been committed for a sexual purpose] registered sexual
68 offenders.

69 [(10)] (6) "Release into the community" means, with respect to a
70 conviction or a finding of not guilty by reason of mental disease or
71 defect of a [criminal offense against a victim who is a minor, a
72 nonviolent sexual offense, a sexually violent offense] tier one offense, a
73 tier two offense, a tier three offense or a felony found by the sentencing
74 court to have been committed for a sexual purpose, (A) any release on
75 the predicate offense or a subsequent offense not requiring registration
76 by a court after such conviction or finding of not guilty by reason of

77 mental disease or defect, a sentence of probation or any other sentence
78 under section 53a-28 that does not result in the offender's immediate
79 placement in the custody of the Commissioner of Correction; (B)
80 release on the predicate offense or a subsequent offense not requiring
81 registration from a correctional facility at the discretion of the Board of
82 Pardons and Paroles, by the Department of Correction to a program
83 authorized by section 18-100c or upon completion of the maximum
84 term or terms of the offender's sentence or sentences, or to the
85 supervision of the Court Support Services Division in accordance with
86 the terms of the offender's sentence; or (C) release on the predicate
87 offense or a subsequent offense not requiring registration from a
88 hospital for mental illness or a facility for persons with mental
89 retardation by the Psychiatric Security Review Board on conditional
90 release pursuant to section 17a-588 or upon termination of
91 commitment to the Psychiatric Security Review Board.

92 [(11) "Sexually violent offense" means (A) a violation of section
93 53a-70, except subdivision (2) of subsection (a) of said section, 53a-70a,
94 53a-70b, 53a-71, except subdivision (1), (4), (8) or (10) or subparagraph
95 (B) of subdivision (9) of subsection (a) of said section or subparagraph
96 (A) of subdivision (9) of subsection (a) of said section if the court
97 makes a finding that, at the time of the offense, the victim was under
98 eighteen years of age, 53a-72a, except subdivision (2) of subsection (a)
99 of said section, or 53a-72b, or of section 53a-92 or 53a-92a, provided the
100 court makes a finding that the offense was committed with intent to
101 sexually violate or abuse the victim, (B) a violation of any of the
102 offenses specified in subparagraph (A) of this subdivision for which a
103 person is criminally liable under section 53a-8, 53a-48 or 53a-49, or (C)
104 a violation of any predecessor statute to any of the offenses specified in
105 subparagraph (A) or (B) of this subdivision the essential elements of
106 which are substantially the same as said offense.]

107 [(12)] (7) "Sexual purpose" means that a purpose of the defendant in
108 committing the felony was to engage in sexual contact or sexual
109 intercourse with another person without that person's consent. A

sexual purpose need not be the sole purpose of the commission of the felony. The sexual purpose may arise at any time in the course of the commission of the felony.

[(13)] (8) "Employed" or "carries on a vocation" means employment that is full-time or part-time, [for more than fourteen days, or for a total period of time of more than thirty days during any calendar year,] whether financially compensated, volunteered or for the purpose of government or educational benefit, and includes being self-employed.

[(14)] (9) "Student" means a person who is enrolled on a full-time or part-time basis, in any public or private educational institution, including any secondary school, trade or professional institution or institution of higher learning.

(10) "Tier one offense" means (A) a violation of section 53a-73a if the victim is eighteen years of age or older at the time of the offense, section 15 of this act, subdivision (2) of subsection (a) of section 53a-189a or section 53a-196d, 53a-196e or 53a-196f, (B) a violation of any of the offenses specified in subparagraph (A) of this subdivision for which a person is criminally liable under section 53a-8, 53a-48 or 53a-49, or (C) a violation of any predecessor statute to any offense specified in subparagraph (A) or (B) of this subdivision the essential elements of which are substantially the same as said offense.

(11) "Tier two offense" means (A) a violation of subdivision (2) of section 53-21 in effect prior to October 1, 2000, subdivision (2) of subsection (a) of section 53-21 in effect prior to October 1, 2009, section 18 of this act, section 53a-73a if the victim was thirteen years of age or older but under eighteen years of age at the time of the offense or section 53a-90a, (B) a violation of section 53a-92, 53a-92a, 53a-94, 53a-94a, 53a-95 or 53a-96 if the victim was under eighteen years of age at the time of the offense, (C) a violation of any of the offenses specified in subparagraph (A) or (B) of this subdivision for which a person is criminally liable under section 53a-8, 53a-48 or 53a-49, or (D)

142 a violation of any predecessor statute to any offense specified in
143 subparagraph (A), (B) or (C) of this subdivision the essential elements
144 of which are substantially the same as said offense.

145 (12) "Tier three offense" means (A) a violation of section 53a-70,
146 53a-70a, 53a-70b, 53a-71, 53a-72a or 53a-72b, section 53a-73a if the
147 victim was under thirteen years of age at the time of the offense,
148 subdivision (2) of subsection (a) of section 53a-86, subdivision (2) of
149 subsection (a) of section 53a-87 or section 53a-196a, 53a-196b or 53a-
150 196c, (B) a violation of section 53a-92 or 53a-92a, provided the court
151 makes a finding that the offense was committed with intent to sexually
152 violate or abuse the victim, (C) a violation of any of the offenses
153 specified in subparagraph (A) or (B) of this subdivision for which a
154 person is criminally liable under section 53a-8, 53a-48 or 53a-49, or (D)
155 a violation of any predecessor statute to any of the offenses specified in
156 subparagraph (A), (B) or (C) of this subdivision the essential elements
157 of which are substantially the same as said offense.

158 (13) "Transient" means a person who has no residence.

159 (14) "Transient locations" means locations where a transient
160 registrant habitually lives, eats, works, frequents, engages in leisure
161 activities, stations himself or herself during the day or sleeps at night
162 within a specific town or city.

163 (15) "Residence" means a place where a person is living or staying
164 including a temporary residence or lodging, a person's home or a place
165 where a person habitually lives or sleeps such as a homeless,
166 emergency or other shelter, or a structure that can be located by a
167 street address including, but not limited to, a house, apartment
168 building, motel, hotel, homeless shelter, recreational or other vehicle
169 and vessel, not limited by the length of stay at that residence.

170 (16) "State" means a state of the United States, the District of
171 Columbia, the Commonwealth of Puerto Rico, the United States Virgin
172 Islands, Guam, American Samoa, the Northern Mariana Islands and

173 any other territory of the United States, and, to the extent provided by
174 and subject to the requirements of Section 127 of the Adam Walsh
175 Child Protection and Safety Act of 2006, P.L. 109-248, any federally
176 recognized Indian tribe.

177 Sec. 2. (NEW) (*Effective October 1, 2009*) (a) Any person who has
178 been convicted or found not guilty by reason of mental disease or
179 defect of a tier one offense and is released into the community shall,
180 not later than three days following such release or, if such person is in
181 the custody of the Commissioner of Correction, at such time prior to
182 release as the commissioner shall direct, register with the
183 Commissioner of Public Safety in accordance with section 7 of this act
184 and shall maintain such registration for fifteen years, except that any
185 person previously convicted of any such offense shall maintain such
186 registration for life.

187 (b) Prior to accepting a plea of guilty or nolo contendere from a
188 person with respect to a tier one offense, the court shall (1) inform the
189 person that the entry of a finding of guilty after acceptance of the plea
190 will subject the person to the registration requirements of this section,
191 and (2) determine that the person fully understands the consequences
192 of the plea.

193 (c) Any person who has been convicted or found not guilty by
194 reason of mental disease or defect of a tier one offense and who is
195 subject to the registration requirements of section 54-251 of the general
196 statutes, revised to January 1, 2009, shall, not later than three business
197 days after October 1, 2009, register under this section and maintain
198 such registration for a period of fifteen years from the date of such
199 person's initial registration under public act 98-111 or any predecessor
200 statute, and shall comply with the provisions of section 7 of this act
201 and section 54-102g of the general statutes, as amended by this act.

202 (d) Notwithstanding the provisions of subsection (a) or (c) of this
203 section, such person shall maintain such registration for ten years if
204 such person has during such ten-year period (1) complied with

205 registry requirements and kept all required information current, (2) not
206 been convicted of any offense for which imprisonment for more than
207 one year may be imposed, (3) not been convicted of another sexual
208 offense, (4) successfully completed, without revocation, any period of
209 probation or parole, and (5) successfully completed an appropriate
210 sexual offender treatment program certified by the state.

211 (e) Any person who violates the provisions of subsection (a) or (c) of
212 this section shall be guilty of a class D felony.

213 Sec. 3. (NEW) (*Effective October 1, 2009*) (a) Any person who has
214 been convicted, or found not guilty by reason of mental disease or
215 defect, of a tier two offense and is released into the community shall,
216 not later than three days following such release or, if such person is in
217 the custody of the Commissioner of Correction, at such time prior to
218 release as the commissioner shall direct, register with the
219 Commissioner of Public Safety in accordance with section 7 of this act
220 and shall maintain such registration for twenty-five years, except that
221 any person previously convicted of any such offense shall maintain
222 such registration for life.

223 (b) Prior to accepting a plea of guilty or nolo contendere from a
224 person with respect to a tier two offense, the court shall (1) inform the
225 person that the entry of a finding of guilty after acceptance of the plea
226 will subject the person to the registration requirements of this section,
227 and (2) determine that the person fully understands the consequences
228 of the plea.

229 (c) Any person who has been convicted or found not guilty by
230 reason of mental disease or defect of a tier two offense and who is
231 subject to the registration requirements of section 54-251 of the general
232 statutes, revised to January 1, 2009, shall, not later than three business
233 days after October 1, 2009, register under this section and maintain
234 such registration for a period of twenty-five years from the date of
235 such person's initial registration under public act 98-111 or any
236 predecessor statute, except that any person previously convicted of

237 any such offense shall maintain such registration for life, and shall
238 comply with the provisions of section 7 of this act and section 54-102g
239 of the general statutes, as amended by this act.

240 (d) Any person who has been convicted or found not guilty by
241 reason of mental disease or defect of a tier two offense and who has
242 been subject to the registration requirements of section 54-102r of the
243 general statutes, revised to January 1, 1997, as amended by section 1 of
244 public act 97-183, shall, not later than three business days after October
245 1, 2009, register under this section and comply with the provisions of
246 section 7 of this act and section 54-102g of the general statutes for a
247 period of twenty-five years from the date of such person's initial
248 registration under public act 97-183 or any predecessor statute, except
249 that any person previously convicted of any such offense shall
250 maintain such registration for life, and shall comply with the
251 provisions of section 7 of this act and section 54-102g of the general
252 statutes, as amended by this act.

253 (e) Any person who violates the provisions of subsection (a), (c) or
254 (d) of this section shall be guilty of a class D felony.

255 Sec. 4. (NEW) (*Effective October 1, 2009*) (a) Any person who has
256 been convicted, or found not guilty by reason of mental disease or
257 defect, of a tier three offense and is released into the community shall,
258 within three days following such release or, if such person is in the
259 custody of the Commissioner of Correction, at such time prior to
260 release as the commissioner shall direct, register with the
261 Commissioner of Public Safety in accordance with section 7 of this act
262 and shall maintain such registration for life.

263 (b) Prior to accepting a plea of guilty or nolo contendere from a
264 person with respect to a tier three offense, the court shall (1) inform the
265 person that the entry of a finding of guilty after acceptance of the plea
266 will subject the person to the registration requirements of this section,
267 and (2) determine that the person fully understands the consequences
268 of the plea.

269 (c) Any person who has been convicted or found not guilty by
270 reason of mental disease or defect of a tier three offense and who has
271 been subject to the registration requirements of section 54-251 or 54-
272 252 of the general statutes, revised to January 1, 2009, shall, not later
273 than three business days after October 1, 2009, register under this
274 section and shall maintain such registration for life and shall comply
275 with the provisions of section 7 of this act and section 54-102g of the
276 general statutes.

277 (d) Any person who has been convicted or found not guilty by
278 reason of mental disease or defect of a tier three offense and who has
279 been subject to the registration requirements of section 54-102r of the
280 general statutes, revised to January 1, 1997, as amended by section 1 of
281 public act 97-183, shall, not later than three business days after October
282 1, 2009, register under this section and comply with the provisions of
283 section 7 of this act and section 54-102g of the general statutes.

284 (e) Notwithstanding the provisions of subsection (a) of this section,
285 the court may exempt any person who has been convicted or found
286 not guilty by reason of mental disease or defect of a violation of
287 subdivision (1) of subsection (a) of section 53a-71 of the general
288 statutes from the registration requirements of this section if the court
289 finds that such person was under nineteen years of age and no more
290 than four years older than the victim at the time of the offense and that
291 registration is not required for public safety.

292 (f) Any person who files an application with the court to be
293 exempted from the registration requirements of this section pursuant
294 to subsection (e) of this section shall, pursuant to subsection (b) of
295 section 54-227 of the general statutes, as amended by this act, notify the
296 Office of Victim Services and the Victim Services Unit within the
297 Department of Correction of the filing of such application. The Office
298 of Victim Services or the Victim Services Unit within the Department
299 of Correction, or both, shall, pursuant to section 54-230 or 54-230a of
300 the general statutes, as amended by this act, notify any victim who has

301 requested notification of the filing of such application. Prior to
302 granting or denying such application, the court shall consider any
303 information or statement provided by the victim.

304 (g) Any person who violates the provisions of subsection (a), (c), (d)
305 or (f) of this section shall be guilty of a class D felony.

306 Sec. 5. Section 54-253 of the general statutes is repealed and the
307 following is substituted in lieu thereof (*Effective October 1, 2009*):

308 (a) Any person who has been convicted or found not guilty by
309 reason of mental disease or defect or adjudicated a delinquent child,
310 who is subject to the provisions of the Adam Walsh Child Protection
311 and Safety Act of 2006, P.L. 109-248 in any other state, in a federal, [or]
312 military or Indian tribal court or in any foreign [jurisdiction] country of
313 any crime (1) the essential elements of which are substantially the same
314 as any of the crimes specified in subdivisions [(2), (5) and (11)] (10),
315 (11) and (12) of section 54-250, as amended by this act, or (2) which
316 requires registration as a sexual offender in such other state or in the
317 federal, [or] military or Indian tribal system, and who resides in this
318 state on and after October 1, [1998] 2009, shall [, without undue delay
319 upon] provide to the Commissioner of Public Safety, in writing, not
320 less than forty-eight hours prior to entering the state, such person's
321 name, date of birth and residence address, the state or system where
322 such person is required to register as a sexual offender and the
323 locations where such person is employed or is enrolled as a student,
324 and shall, within three business days of residing in this state, register
325 with the Commissioner of Public Safety in accordance with section 7 of
326 this act in the same manner as if such person had been convicted or
327 found not guilty by reason of mental disease or defect of such crime in
328 this state, except that the commissioner shall maintain such
329 registration until such person is released from the registration
330 requirement in such other state, federal, [or] military or Indian tribal
331 system or foreign [jurisdiction] country or, if such person is required to
332 register under subdivision (1) of this subsection, shall maintain such

333 registration in the same manner as if such person had been convicted
334 or found not guilty by reason of mental disease or defect of such crime
335 in this state, except for purposes of determining the period of
336 registration under section 2 or 3 of this act, such person shall be
337 deemed to have initially registered on the date of such person's release
338 into the community in such other state, federal, military or tribal
339 system or foreign country.

340 [(b) If any person who is subject to registration under this section
341 changes such person's name, such person shall, without undue delay,
342 notify the Commissioner of Public Safety in writing of the new name.
343 If any person who is subject to registration under this section changes
344 such person's address, such person shall, without undue delay, notify
345 the Commissioner of Public Safety in writing of the new address and,
346 if the new address is in another state, such person shall also register
347 with an appropriate agency in that state, provided that state has a
348 registration requirement for such offenders. If any person who is
349 subject to registration under this section establishes or changes an
350 electronic mail address, instant message address or other similar
351 Internet communication identifier, such person shall, without undue
352 delay, notify the Commissioner of Public Safety in writing of such
353 identifier. If any person who is subject to registration under this
354 section is employed at, carries on a vocation at or is a student at a trade
355 or professional institution or institution of higher learning in this state,
356 such person shall, without undue delay, notify the Commissioner of
357 Public Safety of such status and of any change in such status. If any
358 person who is subject to registration under this section is employed in
359 another state, carries on a vocation in another state or is a student in
360 another state, such person shall, without undue delay, notify the
361 Commissioner of Public Safety and shall also register with an
362 appropriate agency in that state, provided that state has a registration
363 requirement for such offenders. During such period of registration,
364 each registrant shall complete and return forms mailed to such
365 registrant to verify such registrant's residence address and shall submit
366 to the retaking of a photographic image upon request of the

367 Commissioner of Public Safety.]

368 [(c)] (b) Any person not a resident of this state who is registered or
369 is required to register as a sexual offender under the laws of any other
370 state, the federal, military or Indian tribal system or a foreign country
371 and who is employed in this state, carries on a vocation in this state or
372 is a student in this state, shall [, without undue delay] provide to the
373 Commissioner of Public Safety, in writing, not less than forty-eight
374 hours prior to entering the state, such person's name, date of birth and
375 residence address, the state, federal, military or Indian tribal system or
376 foreign country where such person is required to register as a sexual
377 offender and the locations where such person is employed, carries on a
378 vocation or is enrolled as a student, and shall, not later than three
379 business days after the commencement of such employment, vocation
380 or education in this state, [register such person's name, identifying
381 factors and criminal history record, locations visited on a recurring
382 basis, and such person's residence address, if any, in this state,
383 residence address in such person's home state and electronic mail
384 address, instant message address or other similar Internet
385 communication identifier, if any,] appear in person at the Department
386 of Public Safety or a location designated by the department and
387 register with the Commissioner of Public Safety [on such forms and in
388 such locations as said commissioner shall direct] in accordance with
389 section 7 of this act and shall maintain such registration until such
390 employment, vocation or education terminates or until such person is
391 released from registration as a sexual offender in such other state,
392 federal, military or Indian tribal system or foreign country. If such
393 person terminates such person's employment, vocation or education in
394 this state [, changes such person's address in this state or establishes or
395 changes an electronic mail address, instant message address or other
396 similar Internet communication identifier] such person shall, [without
397 undue delay, notify] not later than three business days after such
398 termination, appear in person at the Department of Public Safety or at
399 a location designated by the department and notify the Commissioner
400 of Public Safety in writing of such termination. [, new address or

401 identifier.]

402 ~~[(d)]~~ (c) Any person not a resident of this state who is registered or
403 is required to be registered as a sexual offender under the laws of any
404 other state, the federal, military or Indian tribal system or a foreign
405 country and who [travels in this state on a recurring basis for periods
406 of less than five days shall notify the Commissioner of Public Safety of
407 such person's temporary residence in this state and of a telephone
408 number at which such person may be contacted] will be entering and
409 remaining in this state for a period of less than five days shall notify
410 the Commissioner of Public Safety in writing not less than forty-eight
411 hours prior to entering the state of such person's name, date of birth
412 and temporary residence address in this state, the state, the federal,
413 military or Indian tribal system or the foreign country where such
414 person is required to register as a sexual offender, the nature of such
415 person's stay in this state, the locations where such person will be
416 while in this state, a telephone number at which such person may be
417 contacted and the dates such person will be in this state and the date
418 such person will be leaving. Any person not a resident of this state
419 who enters this state under the provisions of this subsection and who
420 remains in this state for five or more days shall register with the
421 Commissioner of Public Safety in the same manner as provided in
422 subsection (a) of this section and shall do so not later than three
423 business days after the fifth day such person has remained in this state
424 after entry.

425 (d) Any person who is a registered sexual offender under the laws
426 of any other state who enters this state and fails to notify the
427 Commissioner of Public Safety in writing not less than forty-eight
428 hours prior to entering the state of the information required under this
429 section or falsely reports such information shall be guilty of a class D
430 felony.

431 (e) Any person who violates the provisions of this section shall be
432 guilty of a class D felony; [except that, if such person violates the

433 provisions of this section by failing to register with the Commissioner
434 of Public Safety without undue delay or notify the Commissioner of
435 Public Safety without undue delay of a change of name, address or
436 status or another reportable event, such person shall be subject to such
437 penalty if such failure continues for five business days.]

438 Sec. 6. Section 54-254 of the general statutes is repealed and the
439 following is substituted in lieu thereof (*Effective October 1, 2009*):

440 (a) Any person who has been convicted or found not guilty by
441 reason of mental disease or defect in this state on or after October 1,
442 1998, of any felony that the court finds was committed for a sexual
443 purpose, may be required by the court [upon] not later than three days
444 after release into the community or, if such person is in the custody of
445 the Commissioner of Correction, at such time prior to release as the
446 commissioner shall direct to register [such person's name, identifying
447 factors, criminal history record, residence address and electronic mail
448 address, instant message address or other similar Internet
449 communication identifier, if any,] with the Commissioner of Public
450 Safety [, on such forms and in such locations as the commissioner shall
451 direct, and to] in accordance with section 7 of this act and maintain
452 such registration for ten years or life, as determined by the court. If the
453 court finds that a person has committed a felony for a sexual purpose
454 and intends to require such person to register under this section, prior
455 to accepting a plea of guilty or nolo contendere from such person with
456 respect to such felony, the court shall (1) inform the person that the
457 entry of a finding of guilty after acceptance of the plea will subject the
458 person to the registration requirements of this section, and (2)
459 determine that the person fully understands the consequences of the
460 plea. [If any person who is subject to registration under this section
461 changes such person's name, such person shall, without undue delay,
462 notify the Commissioner of Public Safety in writing of the new name.
463 If any person who is subject to registration under this section changes
464 such person's address, such person shall, without undue delay, notify
465 the Commissioner of Public Safety in writing of the new address and,

466 if the new address is in another state, such person shall also register
467 with an appropriate agency in that state, provided that state has a
468 registration requirement for such offenders. If any person who is
469 subject to registration under this section establishes or changes an
470 electronic mail address, instant message address or other similar
471 Internet communication identifier, such person shall, without undue
472 delay, notify the Commissioner of Public Safety in writing of such
473 identifier. If any person who is subject to registration under this
474 section is employed at, carries on a vocation at or is a student at a trade
475 or professional institution or institution of higher learning in this state,
476 such person shall, without undue delay, notify the Commissioner of
477 Public Safety of such status and of any change in such status. If any
478 person who is subject to registration under this section is employed in
479 another state, carries on a vocation in another state or is a student in
480 another state, such person shall, without undue delay, notify the
481 Commissioner of Public Safety and shall also register with an
482 appropriate agency in that state, provided that state has a registration
483 requirement for such offenders. During such period of registration,
484 each registrant shall complete and return forms mailed to such
485 registrant to verify such registrant's residence address and shall submit
486 to the retaking of a photographic image upon request of the
487 Commissioner of Public Safety.]

488 (b) Any person who violates the provisions of this section shall be
489 guilty of a class D felony. [except that, if such person violates the
490 provisions of this section by failing to notify the Commissioner of
491 Public Safety without undue delay of a change of name, address or
492 status or another reportable event, such person shall be subject to such
493 penalty if such failure continues for five business days.]

494 Sec. 7. (NEW) (*Effective October 1, 2009*) (a) Any person required to
495 register under the provisions of section 2, 3 or 4 of this act or section
496 54-253 of the general statutes, as amended by this act, or section 54-254
497 of the general statutes, as amended by this act, shall, as a requirement
498 of such registration, provide the following information upon initial

499 registration and shall maintain such information by reporting any
500 changes, additions or omissions to such person's registry information
501 by appearing in person at the Department of Public Safety or at a
502 location designated by the department within three business days of
503 such change:

504 (1) Such person's name, including legal name changes, any name by
505 which the person has been known, nicknames and pseudonyms
506 including any designations or monikers used for self-identification in
507 Internet communications or other postings. If any person who is
508 subject to registration under this section changes such person's name,
509 including legal name changes, nicknames and pseudonyms including
510 any designations or monikers used for self-identification in Internet
511 communications or other postings, such person shall, within three
512 business days of such change, report in person to the Department of
513 Public Safety or a location designated by the department and report
514 such change of information in writing.

515 (2) The current residence address or residence addresses of such
516 person or, if such person is in the custody of the Commissioner of
517 Correction, the residence address or addresses where such person will
518 reside upon such person's release into the community. If any person
519 who is subject to registration under this section changes such person's
520 address, such person shall, within three business days of such change,
521 report in person to the Department of Public Safety or a location
522 designated by the department and report such change of address in
523 writing and, if the new address is in another state or foreign country,
524 such person shall also register with an appropriate agency in that state
525 or foreign country. Any registrant that falsely reports a change of
526 address or reports a false address shall be in violation of this section.
527 Any registrant that reports a change of address and then fails to move
528 to such address shall report such failure in person to the Department
529 of Public Safety or a location designated by the department within
530 three business days or be in violation of this section. Any registrant
531 that is incarcerated in a correctional institution of the Department of

532 Correction or in any other county, state or federal correctional
533 institution shall report such incarceration to the Department of Public
534 Safety in writing within three business days and upon release from
535 such correctional institution shall report to the Department of Public
536 Safety or a location designated by the department and report such
537 release within three business days. Any person required to register
538 under the provisions of section 2, 3 or 4 of this act or section 54-253 of
539 the general statutes, as amended by this act, or section 54-254 of the
540 general statutes, as amended by this act, who becomes a transient,
541 shall report such transient status to the Department of Public Safety
542 not later than three business days after becoming transient by
543 reporting in person to the Department of Public Safety or at a location
544 designated by the department and shall report such transient status in
545 writing. Such registrant shall sign a statement that, as a transient, such
546 registrant is not residing at a residence. Residing at any such residence
547 shall constitute a change of address and such registrant shall report
548 under this subdivision. Such registrant shall report any transient
549 locations, including the specific town or towns or city or cities in which
550 such registrant is claiming to be a transient. Such transient locations
551 shall be provided with sufficient detail to allow for law enforcement
552 officials to be reasonably able to locate and verify the registrant's
553 presence at such locations. If such transient locations are in another
554 state or foreign country, such person shall also register with an
555 appropriate agency responsible for the registration of sexual offenders
556 in that other state or foreign country. Any person required to register
557 under the provisions of section 2, 3 or 4 of this act or section 54-253a of
558 the general statutes, as amended by this act, or section 54-254 of the
559 general statutes, as amended by this act, who is required to evacuate
560 such registrant's residence due to an emergency situation such as a
561 flood, hurricane, tornado or fire shall report such evacuation and the
562 temporary residence address such registrant has been relocated to,
563 within three business days to the Department of Public Safety. If such
564 registrant is relocated to an emergency shelter or other public
565 accommodations, such registrant shall notify the management of such

566 shelter or accommodation upon arrival at such shelter or
567 accommodation that such registrant is a registered sexual offender.

568 (3) The name of such person's employer and any address where
569 such person is employed or carries on a vocation or, if such person is
570 in the custody of the Commissioner of Correction, the name and
571 address of any employer by whom such person will be employed or
572 carries on a vocation upon release from custody. If any person who is
573 subject to registration changes the status of such employment, the
574 address where such person is employed changes or such employment
575 is terminated, such person shall, not later than three business days
576 after such change or termination, report in person to the Department of
577 Public Safety or a location designated by the department and report
578 such change or termination in writing and, if the new address of such
579 employment is in another state or foreign country, such person shall
580 register with an appropriate agency in that state or foreign country
581 responsible for the registration of sexual offenders.

582 (4) The name and address of any youth camp, as defined in section
583 19a-420 of the general statutes, provider of child day care services, as
584 defined in section 19a-77 of the general statutes, youth group or
585 organization, youth athletic association or club, public or private
586 educational institution, including elementary, middle or high school,
587 regional vocational-technical school, charter school, secondary school
588 or trade or professional institution or institution of higher learning in
589 this state where such registrant is employed, carries on a vocation, is a
590 student or is enrolled. If any person who is subject to registration
591 under this section is employed in another state or foreign country,
592 carries on a vocation in another state or foreign country or is a student
593 in another state or foreign country, such person shall notify the
594 Commissioner of Public Safety and shall also register with an
595 appropriate agency in that state or foreign country responsible for the
596 registration of sexual offenders. If any person who is subject to
597 registration changes employment, location of vocation or place of
598 enrollment or if the address of any such place changes, such person

599 shall, not later than three business days after such change, report in
600 person to the Department of Public Safety or a location designated by
601 the department and report such change in writing and, if the new
602 employment, school or address is in another state or foreign country,
603 such person shall register with an appropriate agency in that state or
604 foreign country.

605 (5) Any person required to register under section 2, 3 or 4 of this act
606 or section 54-253 of the general statutes, as amended by this act, or
607 section 54-254 of the general statutes, as amended by this act, shall
608 within three business days of a change of the information required
609 under this subsection report in person to the Department of Public
610 Safety or a location designated by the department and report such
611 change of information in writing.

612 (b) Any person required to register under the provisions of section
613 2, 3 or 4 of this act or section 54-253 of the general statutes, as amended
614 by this act, or section 54-254 of the general statutes, as amended by this
615 act, shall provide the following information to the Department of
616 Public Safety upon initial registration and shall maintain such
617 information by reporting any changes to such information to the
618 Department of Public Safety in writing within three business days of
619 such change:

620 (1) Such person's date of birth and a copy of such person's birth
621 certificate;

622 (2) Such person's Social Security number;

623 (3) Any alias dates of birth or Social Security numbers that such
624 person is using or has used;

625 (4) Identifying factors;

626 (5) Such person's criminal history record including any convictions
627 in other states or foreign countries;

628 (6) The date of such person's conviction, the name and address of
629 the court where such person was convicted and the offense for which
630 such person is required to register;

631 (7) Telephone or cellular telephone number subscribed to or used by
632 such person;

633 (8) A copy of such person's Connecticut motor vehicle operator's
634 license or an identity card issued pursuant to section 1-1h of the
635 general statutes;

636 (9) The name, office location and telephone number of any
637 probation or parole officer in this or any other state;

638 (10) Travel and immigration documents including, but not limited
639 to, passports, alien registration cards and student or work visas;

640 (11) Any professional licenses that authorize such person to engage
641 in an occupation or carry on a trade;

642 (12) Any electronic mail address, instant message address or other
643 similar Internet communication identifier established or used by such
644 person; and

645 (13) The license plate number and description, including the vehicle
646 identification number, of any vehicles owned, operated or used by
647 such person including, but not limited to, motor vehicles, mobile
648 homes, aircraft, and watercraft.

649 (c) In the event that a registrant fails to notify the Department of
650 Public Safety of a change of information required under this section or
651 fails to maintain such information, the Department of Public Safety
652 shall notify the local police department or the state police troop having
653 jurisdiction over the registrant's last reported address, and that agency
654 shall apply for a warrant to be issued for the registrant's arrest under
655 this section. The Department of Public Safety shall not be required to
656 update such information on any registrant whose last reported address

657 was outside this state.

658 (d) Any person required to register under the provisions of section
659 2, 3 or 4 of this act or section 54-253 of the general statutes, as amended
660 by this act, or section 54-254 of the general statutes, as amended by this
661 act, shall obtain a motor vehicle operator's license, renew such a license
662 or obtain an identity card issued by the Department of Motor Vehicles
663 prior to registration and shall maintain such license or card for the
664 period such person is required to be registered. Such person shall
665 report to the Department of Motor Vehicles that such person is
666 required to comply with this section, shall provide all information
667 required by said department and shall obtain a current photograph for
668 use on such license or card and for use by the Department of Public
669 Safety in maintaining a current record of registration.

670 (e) Except as provided in subsection (b) of this section, the
671 Department of Public Safety shall verify the address of each registrant
672 by mailing a nonforwardable verification form by first class mail to the
673 registrant at the registrant's last reported address. If mail is not
674 delivered to a registrant's residential address due to postal restrictions,
675 the Commissioner of Public Safety may develop and implement
676 procedures to verify the addresses of such registrants. Such
677 verification form shall require the registrant to sign a statement that
678 the registrant continues to reside at the registrant's last reported
679 address and to return the form by mail, or as directed by the
680 Department of Public Safety, by a date which is no more than ten days
681 after the date such form was mailed to the registrant. The form shall
682 contain a statement that failing to return the form or providing false
683 information is a violation of this section. Each person required to
684 register under the provisions of section 2, 3 or 4 of this act or section
685 54-253 of the general statutes, as amended by this act, or section 54-254
686 of the general statutes, as amended by this act, shall have such person's
687 address verified in such manner every ninety days after such person's
688 initial registration date. In the event that a registrant fails to return the
689 address verification form, the Department of Public Safety shall notify

690 the local police department or the state police troop having jurisdiction
691 over the registrant's last reported address, and that agency shall apply
692 for a warrant to be issued for the registrant's arrest under this section.
693 The Department of Public Safety shall not verify the address of
694 registrants whose last reported address was outside this state.

695 (f) Except as provided in subsection (b) of this section, the
696 Department of Public Safety shall verify that each registrant is
697 physically within this state by mailing a nonforwardable verification
698 form by first class mail to the registrant at the registrant's last reported
699 address which requires the registrant to appear in person with the
700 verification form at a prescribed office of the Court Support Services
701 Division within the Judicial Branch by a date which is ten days after
702 the date such form was mailed to the registrant and submit to the
703 taking of a photograph and update and verify any information
704 required under section 54-256 of the general statutes, as amended by
705 this act. If mail is not delivered to a registrant's residential address due
706 to postal restrictions, the Commissioner of Public Safety may develop
707 and implement procedures to deliver such form to such registrant. The
708 form shall contain a statement that failure to report to the prescribed
709 office of the Court Support Services Division with the verification form
710 by a date which is ten days after the date such form was mailed to the
711 registrant is a violation of this section.

712 (g) Registrants shall appear in person with the verification form at
713 the prescribed office of the Court Support Services Division pursuant
714 to subsection (f) of this section in accordance with the following
715 schedule:

716 (1) Any tier one registrant required to register under section 2 of this
717 act, shall appear in person annually after such person's initial
718 registration date;

719 (2) Any tier two registrant required to register under section 3 of
720 this act shall appear in person every six months after such person's
721 initial registration date;

722 (3) Any tier three registrant required to register under section 4 of
723 this act shall appear in person every ninety days after such person's
724 initial registration date; and

725 (4) Any person required to register under section 54-253 of the
726 general statutes, as amended by this act, or section 54-254 of the
727 general statutes, as amended by this act, shall appear in person as
728 directed by the Department of Public Safety.

729 (h) Any person required to register under the provisions of section
730 2, 3 or 4 of this act or section 54-253 of the general statutes, or section
731 54-254 of the general statutes, as amended by this act, who becomes a
732 transient shall, after reporting such status under subdivision (2) of
733 subsection (a) of this section, appear in person at the Department of
734 Public Safety or at a location designated by the department by a date
735 which is not less than ten days or more than fifteen days after such
736 registrant's last reporting date under this section and shall continue to
737 appear by a date which is not less than ten days or more than fifteen
738 days from the last reporting date until such registrant reports no
739 longer being transient.

740 (i) If a registrant fails to physically report in person to an assigned
741 office of the Court Support Services Division as provided under
742 subsections (g) and (h) of this section, the Court Support Services
743 Division shall notify the Department of Public Safety. The department
744 shall notify the local police department or the state police troop having
745 jurisdiction over the registrant's last reported address or transient
746 location, and that agency shall apply for a warrant to be issued for the
747 registrant's arrest under this section. The Department of Public Safety
748 shall not require a registrant to report if such registrant's last reported
749 address was outside this state.

750 (j) Any person required to register under the provisions of section 2,
751 3 or 4 of this act or section 54-253 of the general statutes, as amended
752 by this act, or section 54-254 of the general statutes, as amended by this
753 act, shall submit to the retaking of a photographic image upon request

754 of, and at the time and place designated by, the Commissioner of
755 Public Safety.

756 (k) Any person required to register under the provisions of section
757 2, 3 or 4 of this act or section 54-253 of the general statutes, as amended
758 by this act, or section 54-254 of the general statutes, as amended by this
759 act, shall maintain such person's registration by keeping all required
760 information current and in compliance with registry requirements.
761 Any period of incarceration or noncompliance with registry
762 requirements shall be excluded from such registrant's required
763 registration period and such registration requirement will continue
764 until such registrant meets the required registration period.

765 (l) Any person who violates the registration requirements under this
766 section shall be guilty of a class D felony.

767 Sec. 8. (NEW) (*Effective October 1, 2009*) Any person who has reason
768 to believe that a registrant is in violation of registration requirements
769 and who, with intent to assist the registrant in eluding a law
770 enforcement officer in the investigation or enforcement of such
771 violation, (1) withholds information from, or does not notify, the law
772 enforcement officer about the registrant's noncompliance with such
773 requirements and, if known, the whereabouts of the registrant, (2)
774 harbors, or attempts to harbor, or assists another person in harboring
775 or attempting to harbor, the registrant, (3) conceals or attempts to
776 conceal, or assists another person in concealing or attempting to
777 conceal, the registrant, (4) knowingly provides false information
778 regarding the registrant, (5) obstructs or hinders the law enforcement
779 officer in the performance of such officer's official duties relative to the
780 investigation or enforcement of such violation, or (6) falsely represents
781 the registrant by signing address verification forms or other official
782 documentation relative to the registration of sexual offenders, shall be
783 guilty of a class D felony.

784 Sec. 9. Section 54-255 of the general statutes is repealed and the
785 following is substituted in lieu thereof (*Effective October 1, 2009*):

786 (a) Upon the conviction or finding of not guilty by reason of mental
787 disease or defect of any person for a violation of section 53a-70b, the
788 court may order the Department of Public Safety to restrict the
789 dissemination of the registration information to law enforcement
790 purposes only and to not make such information available for public
791 access, provided the court finds that dissemination of the registration
792 information is not required for public safety and that publication of
793 the registration information would be likely to reveal the identity of
794 the victim within the community where the victim resides. The court
795 shall remove the restriction on the dissemination of such registration
796 information if, at any time, the court finds that public safety requires
797 that such person's registration information be made available to the
798 public or that a change of circumstances makes publication of such
799 registration information no longer likely to reveal the identity of the
800 victim within the community where the victim resides. Prior to
801 ordering or removing the restriction on the dissemination of such
802 person's registration information, the court shall consider any
803 information or statements provided by the victim.

804 (b) Upon the conviction or finding of not guilty by reason of mental
805 disease or defect of any person of a [criminal offense against a victim
806 who is a minor, a nonviolent sexual offense or a sexually violent
807 offense] tier one offense, tier two offense or tier three offense, where
808 the victim of such offense was, at the time of the offense, under
809 eighteen years of age and related to such person within any of the
810 degrees of kindred specified in section 46b-21, the court may order the
811 Department of Public Safety to restrict the dissemination of the
812 registration information to law enforcement purposes only and to not
813 make such information available for public access, provided the court
814 finds that dissemination of the registration information is not required
815 for public safety and that publication of the registration information
816 would be likely to reveal the identity of the victim within the
817 community where the victim resides. The court shall remove the
818 restriction on the dissemination of such registration information if, at
819 any time, it finds that public safety requires that such person's

820 registration information be made available to the public or that a
821 change in circumstances makes publication of the registration
822 information no longer likely to reveal the identity of the victim within
823 the community where the victim resides.

824 (c) Any person who: (1) Has been convicted or found not guilty by
825 reason of mental disease or defect of a violation of subdivision (1) of
826 subsection (a) of section 53a-71 [between October 1, 1988, and June 30,
827 1999,] and was under nineteen years of age and no more than four
828 years older than the victim at the time of the offense, [;] or (2) has been
829 convicted or found not guilty by reason of mental disease or defect of a
830 violation of subdivision (2) of subsection (a) of section 53a-73a
831 [between October 1, 1988, and June 30, 1999; (3) has been convicted or
832 found not guilty by reason of mental disease or defect of a criminal
833 offense against a victim who is a minor, a nonviolent sexual offense or
834 a sexually violent offense, between October 1, 1988, and June 30, 1999,
835 where the victim of such offense was, at the time of the offense, under
836 eighteen years of age and related to such person within any of the
837 degrees of kindred specified in section 46b-21; (4) has been convicted
838 or found not guilty by reason of mental disease or defect of a violation
839 of section 53a-70b between October 1, 1988, and June 30, 1999; or (5)
840 has been convicted or found not guilty by reason of mental disease or
841 defect of any crime between October 1, 1988, and September 30, 1998,
842 which requires registration under sections 54-250 to 54-258a, inclusive,
843 and (A) served no jail or prison time as a result of such conviction or
844 finding of not guilty by reason of mental disease or defect, (B) has not
845 been subsequently convicted or found not guilty by reason of mental
846 disease or defect of any crime which would require registration under
847 sections 54-250 to 54-258a, inclusive, and (C) has registered with the
848 Department of Public Safety in accordance with sections 54-250 to 54-
849 258a, inclusive;] if the victim was eighteen years of age or older at the
850 time of the offense, may petition the court to order the Department of
851 Public Safety to restrict the dissemination of the registration
852 information to law enforcement purposes only and to not make such
853 information available for public access. Any person who files such a

854 petition shall, pursuant to subsection (b) of section 54-227, as amended
855 by this act, notify the Office of Victim Services and the Victim Services
856 Unit within the Department of Correction of the filing of such petition.
857 The Office of Victim Services or the Victim Services Unit within the
858 Department of Correction, or both, shall, pursuant to section 54-230, as
859 amended by this act, or section 54-230a, as amended by this act, notify
860 any victim who has requested notification pursuant to subsection (b) of
861 section 54-228, as amended by this act, of the filing of such petition.
862 Prior to granting or denying such petition, the court shall consider any
863 information or statements provided by the victim. The court may order
864 the Department of Public Safety to restrict the dissemination of the
865 registration information to law enforcement purposes only and to not
866 make such information available for public access, provided the court
867 finds that dissemination of the registration information is not required
868 for public safety.

869 (d) The court may order the Department of Public Safety to restrict
870 the dissemination of the registration information for law enforcement
871 purposes or to exempt from registration any person required to
872 register under the provisions of section 2, 3 or 4 of this act or section
873 54-253 or 54-254, as amended by this act, who is protected under a
874 state or federal witness protection or relocation program and to not
875 make such information available for public access, provided the court
876 finds that dissemination of the registration information or registration
877 is not required for public safety and that publication of the registration
878 information would be likely to jeopardize the safety of such protected
879 person. The court shall remove the restriction on the dissemination of
880 such registration information or the exemption from registration if, at
881 any time, it finds that public safety requires that such person's
882 registration information be made available to the public or that a
883 change in circumstances makes publication of the registration
884 information no longer likely to jeopardize the safety of such protected
885 person. The court shall direct the Department of Public Safety to
886 execute and secure such order and refrain from any further
887 dissemination of information in the matter unless so ordered by the

888 court. The record of the order and any activity of the court pertaining
889 to the order shall be sealed from the public.

890 (e) The court may order the Department of Public Safety to restrict
891 the dissemination of registration information from the public
892 concerning a specific subsection or subdivision of a section of a statute
893 when the publication of said subsection or subdivision would be likely
894 to reveal the identity of the victim. The court may order the
895 Department of Public Safety to disseminate registration information to
896 the public on the registrant to include only the section of the statute
897 without the specific subsection or subdivision.

898 Sec. 10. Section 54-256 of the general statutes is repealed and the
899 following is substituted in lieu thereof (*Effective October 1, 2009*):

900 (a) [Any court, the] The Commissioner of Correction or the
901 Psychiatric Security Review Board, prior to releasing into the
902 community any person convicted or found not guilty by reason of
903 mental disease or defect of a [criminal offense against a victim who is a
904 minor, a nonviolent sexual offense, a sexually violent offense] tier one
905 offense, tier two offense or tier three offense or a felony found by the
906 sentencing court to have been committed for a sexual purpose [, except
907 a person being released unconditionally at the conclusion of such
908 person's sentence or commitment] or a person required to register
909 under the provisions of section 54-253, as amended by this act, shall
910 require as a condition of such release that such person complete the
911 registration procedure established by the Commissioner of Public
912 Safety under [sections 54-251, 54-252 and 54-254] section 2, 3 or 4 of
913 this act, section 54-253, as amended by this act, or section 54-254, as
914 amended by this act. The [court, the] Commissioner of Correction or
915 the Psychiatric Security Review Board, as the case may be, shall
916 provide the person with a written summary of the person's obligations
917 under sections 54-102g and 54-250 to 54-258a, inclusive, as amended by
918 this act, and sections 2, 3, 4 and 7 of this act, stating that the obligation
919 to register has been explained and such person read the requirements

920 or the requirements were read to such person and the person signed
921 the written summary acknowledging he or she understood the
922 requirements and transmit the completed registration package to the
923 Commissioner of Public Safety who shall enter the information into the
924 registry established under section 54-257, as amended by this act. [If a
925 court transmits the completed registration package to the
926 Commissioner of Public Safety with respect to a person released by the
927 court, such package need not include identifying factors for such
928 person. In the case of a person being released unconditionally who
929 declines to complete the registration package through the court or the
930 releasing agency, the court or agency shall: (1) Except with respect to
931 information that is not available to the public pursuant to court order,
932 rule of court or any provision of the general statutes, provide to the
933 Commissioner of Public Safety the person's name, date of release into
934 the community, anticipated residence address, if known, and criminal
935 history record, any known treatment history of such person, any
936 electronic mail address, instant message address or other similar
937 Internet communication identifier for such person, if known, and any
938 other relevant information; (2) inform the person that such person has
939 an obligation to register within three days with the Commissioner of
940 Public Safety for a period of ten years following the date of such
941 person's release or for life, as the case may be, that if such person
942 changes such person's address such person shall within five days
943 register the new address in writing with the Commissioner of Public
944 Safety and, if the new address is in another state or if such person is
945 employed in another state, carries on a vocation in another state or is a
946 student in another state, such person shall also register with an
947 appropriate agency in that state, provided that state has a registration
948 requirement for such offenders, and that if such person establishes or
949 changes an electronic mail address, instant message address or other
950 similar Internet communication identifier such person shall, within
951 five days, register such identifier with the Commissioner of Public
952 Safety; (3) provide the person with a written summary of the person's
953 obligations under sections 54-102g and 54-250 to 54-258a, inclusive, as

954 explained to the person under subdivision (2) of this subsection; and
955 (4) make a specific notation on the record maintained by that agency
956 with respect to such person that the registration requirements were
957 explained to such person and that such person was provided with a
958 written summary of such person's obligations under sections 54-102g
959 and 54-250 to 54-258a, inclusive.] In the case of a person being released
960 unconditionally who refuses to register with the Department of
961 Correction, the Department of Correction shall notify the Department
962 of Public Safety of such refusal and such person, upon release, shall be
963 immediately arrested for a violation of the provisions of section 2, 3 or
964 4 of this act, section 54-253, as amended by this act, or section 54-254,
965 as amended by this act, as the case may be.

966 (b) Any court prior to releasing into the community any person
967 convicted or found not guilty by reason of mental disease or defect of a
968 tier one offense, tier two offense or tier three offense or a felony found
969 by the sentencing court to have been committed for a sexual purpose,
970 shall order such person to report in person to the Commissioner of
971 Public Safety within three days following such release. The court shall
972 obtain such person's residence address and complete a form provided
973 by the Department of Public Safety, which includes a written summary
974 of the person's obligations under section 54-102g, as amended by this
975 act, sections 2, 3, 4 and 7 of this act, and sections 54-253, as amended by
976 this act, and section 54-254, as amended by this act. The court shall
977 provide a copy of such form to such person prior to their release. The
978 court shall sign the form acknowledging that the court explained such
979 person's registration requirements to such person and such person
980 shall sign the form acknowledging that such person understood such
981 person's registration requirements. If such person refuses to sign such
982 form and provide such information, the court shall order immediate
983 registration of such person and shall contact the Department of Public
984 Safety to complete such registration. If such person refuses to complete
985 such registration, such person shall be arrested for violation of section
986 2, 3, 4 or 7 of this act, section 54-253, as amended by this act, or section
987 54-254, as amended by this act, as the case may be.

988 [(b)] (c) Whenever a person is convicted or found not guilty by
989 reason of mental disease or defect of an offense that will require such
990 person to register under section [54-251, 54-252 or 54-254] 54-253, as
991 amended by this act, section 54-254, as amended by this act, or section
992 2, 3 or 4 of this act, the court shall provide to the Department of Public
993 Safety a written summary of the offense that includes the age and sex
994 of any victim of the offense and a specific description of the offense.
995 Such summary shall be added to the registry information made
996 available to the public through the Internet.

997 (d) Any person fourteen years of age or older who has been
998 convicted or found not guilty by reason of mental disease or defect of
999 an offense that requires registration under section 2, 3 or 4 of this act or
1000 section 54-254, as amended by this act, after the case of such person has
1001 been transferred to the regular criminal docket in accordance with
1002 section 46b-127, shall register under the appropriate section of the
1003 general statutes, except that the court may, at its discretion, reduce the
1004 registration period to twenty-five years if such person has (1) not been
1005 convicted of any offense for which imprisonment for more than one
1006 year was imposed, (2) not been convicted of another sexual offense, (3)
1007 successfully completed any periods of probation and parole, (4)
1008 successfully completed an appropriate sexual offender treatment
1009 program certified by the state, and (5) maintained such registration for
1010 a period of twenty-five years and kept all required information current
1011 and in compliance with all registry requirements.

1012 Sec. 11. Section 54-257 of the general statutes is repealed and the
1013 following is substituted in lieu thereof (*Effective October 1, 2009*):

1014 (a) The Department of Public Safety shall [, not later than January 1,
1015 1999,] establish and maintain a registry of all persons required to
1016 register under [sections 54-251, 54-252,] section 2, 3 or 4 of this act,
1017 section 54-253, as amended by this act, [and] or section 54-254, as
1018 amended by this act, that includes an electronic database allowing for
1019 registry information to be available and transmitted in an electronic or

1020 digital format. The department shall, in cooperation with the Office of
1021 the Chief Court Administrator, the Department of Correction and the
1022 Psychiatric Security Review Board, develop appropriate forms for use
1023 by agencies and individuals to report registration information,
1024 including changes of address. Upon receipt of registration information,
1025 the department shall enter the information into the registry and notify
1026 the local police department or state police troop having jurisdiction
1027 where the registrant resides or plans to reside, is employed or plans to
1028 be employed, carries on a vocation or is a student. If a registrant
1029 notifies the Department of Public Safety that such registrant is
1030 employed at, carries on a vocation at or is a student at a youth camp,
1031 as defined in section 19a-420, a provider of child day care services, as
1032 defined in section 19a-77, a public or private educational institution
1033 including an elementary, middle or high school, a regional vocational-
1034 technical school, a charter school or a trade or professional institution
1035 or an institution of higher learning in this state, the department shall
1036 within three business days notify the law enforcement agency with
1037 jurisdiction over such camp, provider or institution. If a registrant
1038 reports a residence, employment or involvement with an educational
1039 institution in another state or foreign country, the department shall
1040 notify the [state police agency of that state or such other agency in that
1041 state that maintains registry information, if known] appropriate
1042 agency responsible for the registration of sexual offenders in that other
1043 state or foreign country. The department shall also transmit all
1044 registration information, conviction data, information on registrants in
1045 violation of registry requirements who cannot be located,
1046 photographic images and fingerprints to the Federal Bureau of
1047 Investigation and the Department of Justice in such form as said
1048 bureau or the Department of Justice shall require for inclusion in a
1049 national registry. The local police department or state police troop
1050 having jurisdiction where the registrant resides or plans to reside, is
1051 employed or plans to be employed, carries on a vocation or is a student
1052 shall develop policies and procedures to verify the accuracy of the
1053 information provided by the registrant as well as uniform procedures

1054 to investigate the registrant's continued compliance with registration
1055 requirements and any violations of such requirements. Such policies
1056 and procedures shall provide that (1) an arrest warrant shall be sought
1057 for any registrant who violates registry requirements as specified in
1058 section 7 of this act and cannot be located, (2) the United States
1059 Marshals Service shall be notified of the existence of any such arrest
1060 warrant, and (3) any such arrest warrant shall be entered into the
1061 National Crime Information Center Wanted Person file. The
1062 Department of Public Safety shall develop and maintain software
1063 applications to allow local jurisdictions to effectively and efficiently
1064 track and manage local sexual offender registry programs.

1065 (b) The Department of Public Safety may suspend the registration of
1066 any person registered under section 2, 3 or 4 of this act or section [54-
1067 251, 54-252,] 54-253, as amended by this act, or section 54-254, as
1068 amended by this act, while such person is incarcerated, under civil
1069 commitment, medically incapacitated or residing outside this state.
1070 During the period that such registration is under suspension, the
1071 department is not required to verify the address of the registrant
1072 [pursuant to subsection (c) of this section] and may withdraw the
1073 registration information from public access. Upon the release of the
1074 registrant from incarceration or civil commitment, the registrant
1075 becoming medically capable or the resumption of residency in this
1076 state by the registrant, the department shall reinstate the registration,
1077 redistribute the registration information in accordance with subsection
1078 (a) of this section and resume verifying the address of the registrant,
1079 [in accordance with subsection (c) of this section.] Suspension of
1080 registration shall not affect the date of expiration of the registration
1081 obligation of the registrant under section 2, 3 or 4 of this act or section
1082 [54-251, 54-252 or] 54-253, as amended by this act, or section 54-254, as
1083 amended by this act.

1084 [(c) Except as provided in subsection (b) of this section, the
1085 Department of Public Safety shall verify the address of each registrant
1086 by mailing a nonforwardable verification form to the registrant at the

1087 registrant's last reported address. Such form shall require the registrant
1088 to sign a statement that the registrant continues to reside at the
1089 registrant's last reported address and return the form by mail by a date
1090 which is ten days after the date such form was mailed to the registrant.
1091 The form shall contain a statement that failure to return the form or
1092 providing false information is a violation of section 54-251, 54-252, 54-
1093 253 or 54-254, as the case may be. Each person required to register
1094 under section 54-251, 54-252, 54-253 or 54-254 shall have such person's
1095 address verified in such manner every ninety days after such person's
1096 initial registration date. In the event that a registrant fails to return the
1097 address verification form, the Department of Public Safety shall notify
1098 the local police department or the state police troop having jurisdiction
1099 over the registrant's last reported address, and that agency shall apply
1100 for a warrant to be issued for the registrant's arrest under section 54-
1101 251, 54-252, 54-253 or 54-254, as the case may be. The Department of
1102 Public Safety shall not verify the address of registrants whose last
1103 reported address was outside this state.]

1104 [(d)] (c) The Department of Public Safety shall include in the registry
1105 the most recent photographic image available of each registrant taken
1106 by the department, the Department of Correction, a law enforcement
1107 agency or the Court Support Services Division of the Judicial
1108 Department and shall retake the photographic image of each registrant
1109 at least once every [five years] year.

1110 [(e)] (d) Whenever the Commissioner of Public Safety receives
1111 notice from a superior court pursuant to section 52-11 or a probate
1112 court pursuant to section 45a-99 that such court has ordered the
1113 change of name of a person, and the department determines that such
1114 person is listed in the registry, the department shall revise such
1115 person's registration information accordingly.

1116 [(f)] (e) The Commissioner of Public Safety shall develop a protocol
1117 for the notification of other state agencies, the Judicial Department and
1118 local police departments whenever a person listed in the registry

1119 changes such person's name and notifies the commissioner of the new
1120 name pursuant to section 2, 3 or 4 of this act or section [54-251, 54-252,]
1121 54-253, as amended by this act, or section 54-254, as amended by this
1122 act, or whenever the commissioner determines pursuant to subsection
1123 [(e)] (d) of this section that a person listed in the registry has changed
1124 such person's name.

1125 Sec. 12. Subsection (a) of section 54-258 of the general statutes is
1126 repealed and the following is substituted in lieu thereof (*Effective*
1127 *October 1, 2009*):

1128 (a) (1) Notwithstanding any other provision of the general statutes,
1129 except subdivisions (3), (4) and (5) of this subsection, the registry
1130 maintained by the Department of Public Safety shall be a public record
1131 and shall be accessible to the public during normal business hours. The
1132 Department of Public Safety shall make registry information available
1133 to the public through the Internet with search fields that include, but
1134 are not limited to, a registrant's name and any alias names, city or
1135 town, zip code and geographical radius. The Department of Public
1136 Safety shall make available to the public through the Internet
1137 community education resources, or links to such resources, on sexual
1138 assault prevention, education, advocacy, counseling and victim
1139 services. Not less than once per calendar quarter, the Department of
1140 Public Safety shall issue notices to all print and electronic media in the
1141 state regarding the availability and means of accessing the registry.
1142 Each local police department and each state police troop shall keep a
1143 record of all registration information transmitted to it by the
1144 Department of Public Safety, and shall make such information
1145 accessible to the public during normal business hours which may
1146 include access to such information through the Internet or instruction
1147 on how to access such information through the Internet.

1148 (2) Any state agency, the Judicial Department, any state police troop
1149 or any local police department may, at its discretion, notify any
1150 government agency, private organization or individual of registration

1151 information when such agency, said department, such troop or such
1152 local police department, as the case may be, believes such notification
1153 is necessary to protect the public or any individual in any jurisdiction
1154 from any person who is subject to registration under section 2, 3 or 4 of
1155 this act or section [54-251, 54-252,] 54-253, as amended by this act, or
1156 section 54-254, as amended by this act.

1157 (3) Notwithstanding the provisions of subdivisions (1) and (2) of
1158 this subsection, state agencies, the Judicial Department, state police
1159 troops and local police departments shall not disclose the identity of
1160 any victim of a crime committed by a registrant or a registrant's
1161 treatment information, a registrant's Social Security number, a
1162 telephone number or cellular mobile telephone number subscribed to
1163 or used by a registrant, an electronic mail address, instant message
1164 address or other similar Internet communication identifier used by a
1165 registrant, a registrant's birth certificate, a registrant's travel and
1166 immigration information, a registrant's criminal history information
1167 concerning any arrest that did not result in a conviction and the name
1168 of a registrant's employer provided to the registry pursuant to sections
1169 54-102g, as amended by this act, and 54-250 to 54-258a, inclusive, as
1170 amended by this act, and sections 2, 3, 4, 7 and 8 of this act, except to
1171 government agencies for bona fide law enforcement or security
1172 purposes. The Department of Public Safety may provide for public
1173 queries on the registry Internet web site that allow members of the
1174 public to enter a telephone number, a cellular mobile telephone
1175 number or an electronic mail address, instant message address or other
1176 similar Internet communication identifier to determine if such number
1177 or identifier belongs to a registrant, provided any positive response to
1178 such an inquiry will not disclose the identity of the registrant but will
1179 instruct the inquiring party to directly contact the Department of
1180 Public Safety which will aid in an investigation concerning the inquiry.

1181 (4) Notwithstanding the provisions of subdivisions (1) and (2) of
1182 this subsection, registration information the dissemination of which
1183 has been restricted by court order pursuant to section 54-255, as

1184 amended by this act, and which is not otherwise subject to disclosure,
1185 shall not be a public record and shall be released only for law
1186 enforcement purposes until such restriction is removed by the court
1187 pursuant to said section.

1188 (5) Notwithstanding the provisions of subdivisions (1) and (2) of
1189 this subsection, a registrant's electronic mail address, instant message
1190 address or other similar Internet communication identifier shall not be
1191 a public record, except that the Department of Public Safety may
1192 release such identifier for law enforcement or security purposes in
1193 accordance with regulations adopted by the department. The
1194 department shall adopt regulations in accordance with chapter 54 to
1195 specify the circumstances under which and the persons to whom such
1196 identifiers may be released including, but not limited to, providers of
1197 electronic communication service or remote computing service, as
1198 those terms are defined in section 54-260b, as amended by this act, and
1199 operators of Internet web sites, and the procedure therefor.

1200 (6) When any registrant completes the registrant's term of
1201 registration or is otherwise released from the obligation to register
1202 under section 2, 3 or 4 of this act or section [54-251, 54-252,] 54-253, as
1203 amended by this act, or section 54-254, as amended by this act, the
1204 Department of Public Safety shall notify any state police troop or local
1205 police department having jurisdiction over the registrant's last
1206 reported residence address that the person is no longer a registrant,
1207 and the Department of Public Safety, state police troop and local police
1208 department shall remove the registrant's name and information from
1209 the registry.

1210 Sec. 13. Section 54-259a of the general statutes is repealed and the
1211 following is substituted in lieu thereof (*Effective July 1, 2009*):

1212 [(a) There is established a Risk Assessment Board consisting of the
1213 Commissioner of Correction, the Commissioner of Mental Health and
1214 Addiction Services, the Commissioner of Public Safety, the Chief
1215 State's Attorney, the Chief Public Defender, the chairperson of the

1216 Board of Pardons and Paroles, the executive director of the Court
1217 Support Services Division of the Judicial Department and the
1218 chairpersons and ranking members of the joint standing committees of
1219 the General Assembly having cognizance of matters relating to the
1220 judiciary and public safety, or their designees, a victim advocate with
1221 experience working with sexual assault victims and sexual offenders
1222 appointed by the Governor, a forensic psychiatrist with experience in
1223 the treatment of sexual offenders appointed by the Governor and a
1224 person trained in the identification, assessment and treatment of sexual
1225 offenders appointed by the Governor.

1226 (b) The board shall develop a risk assessment scale that assigns
1227 weights to various risk factors including, but not limited to, the
1228 seriousness of the offense, the offender's prior offense history, the
1229 offender's characteristics, the availability of community supports,
1230 whether the offender has indicated or credible evidence in the record
1231 indicates that the offender will reoffend if released into the community
1232 and whether the offender demonstrates a physical condition that
1233 minimizes the risk of reoffending, and specifies the risk level to which
1234 offenders with various risk assessment scores shall be assigned.

1235 (c) The board shall use the risk assessment scale to assess the risk of
1236 reoffending of each person subject to registration under this chapter,
1237 including incarcerated offenders who are within one year of their
1238 estimated release date, and assign each such person a risk level of high,
1239 medium or low.

1240 (d) The board shall use the risk assessment scale to determine which
1241 offenders should be prohibited from residing within one thousand feet
1242 of the real property comprising a public or private elementary or
1243 secondary school or a facility providing child day care services, as
1244 defined in section 19a-77.

1245 (e) Not later than October 1, 2007, the board shall submit a report to
1246 the joint standing committee of the General Assembly on the judiciary
1247 in accordance with section 11-4a setting forth its findings and

1248 recommendations concerning: (1) Whether information about sexual
1249 offenders assigned a risk level of high, medium or low should be made
1250 available to the public through the Internet; (2) the types of
1251 information about sexual offenders that should be made available to
1252 the public through the Internet which may include, but not be limited
1253 to, (A) the name, residential address, physical description and
1254 photograph of the registrant, (B) the offense or offenses of which the
1255 registrant was convicted or found not guilty by reason of mental
1256 disease or defect that required registration under this chapter, (C) a
1257 brief description of the facts and circumstances of such offense or
1258 offenses, (D) the criminal record of the registrant with respect to any
1259 prior convictions or findings of not guilty by reason of mental disease
1260 or defect for the commission of an offense requiring registration under
1261 this chapter, and (E) the name of the registrant's supervising
1262 correctional, probation or parole officer, and contact information for
1263 such officer; (3) whether any of the persons assigned a high risk level
1264 by the board pursuant to subsection (c) of this section meets the criteria
1265 for civil commitment pursuant to section 17a-498; (4) whether
1266 additional restrictions should be placed on persons subject to
1267 registration under this chapter such as curfews and intensive
1268 monitoring on certain holidays; (5) whether persons convicted of a
1269 sexual offense who pose a high risk of reoffending should be required
1270 to register under this chapter regardless of when they were convicted
1271 or released into the community; and (6) whether persons determined
1272 to be guilty with adjudication withheld in any other state or
1273 jurisdiction of any crime the essential elements of which are
1274 substantially the same as any of the crimes specified in subdivisions
1275 (2), (5) and (11) of section 54-250 should be required to register under
1276 this chapter.]

1277 (a) There is established a Sex Offender Registry Policy Advisory
1278 Committee which shall consist of the Commissioner of Correction, the
1279 Commissioner of Mental Health and Addiction Services, the
1280 Commissioner of Public Safety, the Chief State's Attorney, the Chief
1281 Public Defender, the Attorney General, the executive director of the

1282 Psychiatric Security Review Board, the chairperson of the Board of
1283 Pardons and Paroles, the executive director of the Court Support
1284 Services Division within the Judicial Branch, the chairpersons and
1285 ranking members of the joint standing committees of the General
1286 Assembly having cognizance of matters relating to the judiciary and
1287 public safety, or their designees, and three members appointed by the
1288 Governor, one of whom shall be a victim advocate with experience
1289 working with sexual assault victims and sexual offenders, one of
1290 whom shall be a forensic psychiatrist with experience in the treatment
1291 of sexual offenders and one of whom shall be a person trained in the
1292 identification, assessment and treatment of sexual offenders. The
1293 Commissioner of Public Safety, or a designee, shall serve as
1294 chairperson of the board.

1295 (b) Not later than February 1, 2010, the committee shall submit a
1296 report to the joint standing committee of the General Assembly having
1297 cognizance of matters relating to the judiciary, in accordance with the
1298 provisions of section 11-4a, setting forth its findings and
1299 recommendations concerning the implementation of the provisions of
1300 this act and its recommendations to improve the method and content
1301 of registry information that is provided to the public.

1302 (c) The committee shall meet quarterly to evaluate and make
1303 recommendations on the implementation of this act and to coordinate
1304 agency responsibilities. The committee shall maintain records of its
1305 meetings which shall be retained by the chairperson. The meetings and
1306 records of the committee shall be subject to the provisions of the
1307 Freedom of Information Act, as defined in section 1-200, except that
1308 discussions and records of information the public disclosure of which
1309 is restricted under this act shall be confidential and not subject to
1310 disclosure pursuant to the Freedom of Information Act.

1311 *Sec. 14. (NEW) (Effective October 1, 2009)* (a) A person is guilty of
1312 aggravated public indecency when such person commits public
1313 indecency, as provided in section 53a-186 of the general statutes, and a

1314 victim of the offense is under eighteen years of age at the time of
1315 offense.

1316 (b) Aggravated public indecency is a class A misdemeanor.

1317 Sec. 15. Section 53-21 of the general statutes is repealed and the
1318 following is substituted in lieu thereof (*Effective October 1, 2009*):

1319 (a) Any person who (1) wilfully or unlawfully causes or permits any
1320 child under the age of sixteen years to be placed in such a situation
1321 that the life or limb of such child is endangered, the health of such
1322 child is likely to be injured or the morals of such child are likely to be
1323 impaired, or does any act likely to impair the health or morals of any
1324 such child, or (2) [has contact with the intimate parts, as defined in
1325 section 53a-65, of a child under the age of sixteen years or subjects a
1326 child under sixteen years of age to contact with the intimate parts of
1327 such person, in a sexual and indecent manner likely to impair the
1328 health or morals of such child, or (3)] permanently transfers the legal
1329 or physical custody of a child under the age of sixteen years to another
1330 person for money or other valuable consideration or acquires or
1331 receives the legal or physical custody of a child under the age of
1332 sixteen years from another person upon payment of money or other
1333 valuable consideration to such other person or a third person, except in
1334 connection with an adoption proceeding that complies with the
1335 provisions of chapter 803, shall be guilty of a class C felony. [for a
1336 violation of subdivision (1) or (3) of this subsection and a class B felony
1337 for a violation of subdivision (2) of this subsection, except that, if the
1338 violation is of subdivision (2) of this subsection and the victim of the
1339 offense is under thirteen years of age, such person shall be sentenced
1340 to a term of imprisonment of which five years of the sentence imposed
1341 may not be suspended or reduced by the court.]

1342 (b) The act of a parent or agent leaving an infant thirty days or
1343 younger with a designated employee pursuant to section 17a-58 shall
1344 not constitute a violation of this section.

1345 Sec. 16. (NEW) (*Effective October 1, 2009*) Any person who has
1346 contact with the intimate parts, as defined in section 53a-65 of the
1347 general statutes, of a child under thirteen years of age or subjects a
1348 child under thirteen years of age to contact with the intimate parts of
1349 such person, in a sexual and indecent manner likely to impair the
1350 health or morals of such child, shall be guilty of a class A felony.

1351 Sec. 17. (NEW) (*Effective October 1, 2009*) Any person who has
1352 contact with the intimate parts, as defined in section 53a-65 of the
1353 general statutes, of a child thirteen years of age or older but under
1354 sixteen years of age or subjects a child thirteen years of age or older but
1355 under sixteen years of age to contact with the intimate parts of such
1356 person, in a sexual and indecent manner likely to impair the health or
1357 morals of such child, shall be guilty of a class B felony.

1358 Sec. 18. Section 8-45a of the general statutes is repealed and the
1359 following is substituted in lieu thereof (*Effective October 1, 2009*):

1360 A housing authority, as defined in subsection (b) of section 8-39, in
1361 determining eligibility for the rental of public housing units may
1362 establish criteria and consider relevant information concerning (1) an
1363 applicant's or any proposed occupant's history of criminal activity
1364 involving: (A) Crimes of physical violence to persons or property, (B)
1365 crimes involving the illegal manufacture, sale, distribution or use of, or
1366 possession with intent to manufacture, sell, use or distribute, a
1367 controlled substance, as defined in section 21a-240, or (C) other
1368 criminal acts which would adversely affect the health, safety or welfare
1369 of other tenants, (2) an applicant's or any proposed occupant's abuse,
1370 or pattern of abuse, of alcohol when the housing authority has
1371 reasonable cause to believe that such applicant's or proposed
1372 occupant's abuse, or pattern of abuse, of alcohol may interfere with the
1373 health, safety or right to peaceful enjoyment of the premises by other
1374 residents, and (3) an applicant or any proposed occupant who is
1375 subject to a lifetime registration requirement under section [54-252] 4
1376 of this act or section 54-254, as amended by this act, on account of

1377 being convicted or found not guilty by reason of mental disease or
1378 defect of a [sexually violent offense] tier three sexual offense or a
1379 felony committed for a sexual purpose. In evaluating any such
1380 information, the housing authority shall give consideration to the time,
1381 nature and extent of the applicant's or proposed occupant's conduct
1382 and to factors which might indicate a reasonable probability of
1383 favorable future conduct such as evidence of rehabilitation and
1384 evidence of the willingness of the applicant, the applicant's family or
1385 the proposed occupant to participate in social service or other
1386 appropriate counseling programs and the availability of such
1387 programs.

1388 Sec. 19. Section 18-78b of the general statutes is repealed and the
1389 following is substituted in lieu thereof (*Effective October 1, 2009*):

1390 There is established a Victim Services Unit within the Department of
1391 Correction. The duties and responsibilities of the unit shall include, but
1392 not be limited to: (1) Receiving notices pursuant to section 54-227, as
1393 amended by this act, from inmates applying for release or sentence
1394 reduction or review, persons applying for exemption from the
1395 registration requirements of section [54-251] 2 or 3 of this act and
1396 persons filing a petition for an order restricting the dissemination of
1397 registration information or removing such restriction pursuant to
1398 section 54-255, as amended by this act, (2) receiving requests for
1399 notification from victims of crime or members of an inmate's
1400 immediate family pursuant to section 54-228, as amended by this act,
1401 and receiving notices of changes of address from victims pursuant to
1402 said section, (3) receiving requests for notification from prosecuting
1403 officials pursuant to section 54-229, and (4) notifying persons pursuant
1404 to section 54-230a, as amended by this act, who have requested to be
1405 notified pursuant to section 54-228, as amended by this act, or 54-229.

1406 Sec. 20. Subparagraph (G) of subdivision (2) of subsection (d) of
1407 section 20-327b of the general statutes is repealed and the following is
1408 substituted in lieu thereof (*Effective October 1, 2009*):

1409 (G) A statement that information concerning the residence address
1410 of a person convicted of a crime may be available from law
1411 enforcement agencies or the Department of Public Safety and that the
1412 Department of Public Safety maintains a site on the Internet listing
1413 information about the residence address of persons required to register
1414 under section [54-251, 54-252,] 2, 3 or 4 of this act or section 54-253, as
1415 amended by this act, or section 54-254, as amended by this act, who
1416 have so registered.

1417 Sec. 21. Subsection (a) of section 53a-30 of the general statutes is
1418 repealed and the following is substituted in lieu thereof (*Effective*
1419 *October 1, 2009*):

1420 (a) When imposing sentence of probation or conditional discharge,
1421 the court may, as a condition of the sentence, order that the defendant:
1422 (1) Work faithfully at a suitable employment or faithfully pursue a
1423 course of study or of vocational training that will equip the defendant
1424 for suitable employment; (2) undergo medical or psychiatric treatment
1425 and remain in a specified institution, when required for that purpose;
1426 (3) support the defendant's dependents and meet other family
1427 obligations; (4) make restitution of the fruits of the defendant's offense
1428 or make restitution, in an amount the defendant can afford to pay or
1429 provide in a suitable manner, for the loss or damage caused thereby
1430 and the court may fix the amount thereof and the manner of
1431 performance; (5) if a minor, (A) reside with the minor's parents or in a
1432 suitable foster home, (B) attend school, and (C) contribute to the
1433 minor's own support in any home or foster home; (6) post a bond or
1434 other security for the performance of any or all conditions imposed; (7)
1435 refrain from violating any criminal law of the United States, this state
1436 or any other state; (8) if convicted of a misdemeanor or a felony, other
1437 than a capital felony, a class A felony or a violation of section 21a-278,
1438 21a-278a, 53a-55, 53a-56, 53a-56b, 53a-57, 53a-58 or 53a-70b or any
1439 offense for which there is a mandatory minimum sentence which may
1440 not be suspended or reduced by the court, and any sentence of
1441 imprisonment is suspended, participate in an alternate incarceration

1442 program; (9) reside in a residential community center or halfway
1443 house approved by the Commissioner of Correction, and contribute to
1444 the cost incident to such residence; (10) participate in a program of
1445 community service labor in accordance with section 53a-39c; (11)
1446 participate in a program of community service in accordance with
1447 section 51-181c; (12) if convicted of a violation of subdivision (2) of
1448 subsection (a) of section 53-21, section 53a-70, 53a-70a, 53a-70b, 53a-71,
1449 53a-72a or 53a-72b, undergo specialized sexual offender treatment; (13)
1450 if convicted of a [criminal offense against a victim who is a minor, a
1451 nonviolent sexual offense or a sexually violent offense] tier one offense,
1452 tier two offense or tier three offense, as defined in section 54-250, as
1453 amended by this act, or of a felony that the court finds was committed
1454 for a sexual purpose, as provided in section 54-254, as amended by this
1455 act, register such person's identifying factors, as defined in section 54-
1456 250, as amended by this act, with the Commissioner of Public Safety
1457 when required pursuant to section [54-251, 54-252 or] 2, 3 or 4 of this
1458 act or section 54-253, as amended by this act, as the case may be; (14)
1459 be subject to electronic monitoring, which may include the use of a
1460 global positioning system; (15) if convicted of a violation of section
1461 46a-58, 53-37a, 53a-181j, 53a-181k or 53a-181l, participate in an anti-bias
1462 crime education program; (16) if convicted of a violation of section 53-
1463 247, undergo psychiatric or psychological counseling or participate in
1464 an animal cruelty prevention and education program provided such a
1465 program exists and is available to the defendant; or (17) satisfy any
1466 other conditions reasonably related to the defendant's rehabilitation.
1467 The court shall cause a copy of any such order to be delivered to the
1468 defendant and to the probation officer, if any.

1469 Sec. 22. Subsection (b) of section 54-227 of the general statutes is
1470 repealed and the following is substituted in lieu thereof (*Effective*
1471 *October 1, 2009*):

1472 (b) Any person who files an application with the court to be
1473 exempted from the registration requirements of section [54-251
1474 pursuant to subsection (b) or (c) of said section] 2 or 3 of this act and

1475 any person who files a petition with the court pursuant to section 54-
1476 255, as amended by this act, for an order restricting the dissemination
1477 of the registration information or removing such restriction shall notify
1478 the Office of Victim Services and the Victim Services Unit within the
1479 Department of Correction of the filing of such application or petition
1480 on a form prescribed by the Office of the Chief Court Administrator.
1481 Notwithstanding any provision of the general statutes, no such
1482 application or petition shall be considered unless such person has
1483 notified the Office of Victim Services and the Victim Services Unit
1484 within the Department of Correction pursuant to this subsection and
1485 provides proof of such notice as part of the application or petition.

1486 Sec. 23. Subsection (b) of section 54-228 of the general statutes is
1487 repealed and the following is substituted in lieu thereof (*Effective*
1488 *October 1, 2009*):

1489 (b) Any victim of a [criminal offense against a victim who is a
1490 minor, a nonviolent sexual offense or a sexually violent offense] tier
1491 one offense, tier two offense or tier three offense, as those terms are
1492 defined in section 54-250, as amended by this act, or a felony found by
1493 the sentencing court to have been committed for a sexual purpose, as
1494 provided in section 54-254, as amended by this act, who desires to be
1495 notified whenever the person who was convicted or found not guilty
1496 by reason of mental disease or defect of such offense files an
1497 application with the court to be exempted from the registration
1498 requirements of section [54-251 pursuant to subsection (b) or (c) of said
1499 section] 2 or 3 of this act or files a petition with the court pursuant to
1500 section 54-255, as amended by this act, for an order restricting the
1501 dissemination of the registration information, or removing such
1502 restriction, may complete and file a request for notification with the
1503 Office of Victim Services or the Victim Services Unit within the
1504 Department of Correction.

1505 Sec. 24. Subsection (b) of section 54-230 of the general statutes is
1506 repealed and the following is substituted in lieu thereof (*Effective*

1507 October 1, 2009):

1508 (b) Upon receipt of notice from a person pursuant to subsection (b)
1509 of section 54-227, as amended by this act, the Office of Victim Services
1510 shall notify by certified mail all persons who have requested to be
1511 notified pursuant to subsection (b) of section 54-228, as amended by
1512 this act, whenever such person files an application with the court to be
1513 exempted from the registration requirements of section [54-251
1514 pursuant to subsections (b) or (c) of said section] 2 or 3 of this act or
1515 files a petition with the court pursuant to section 54-255, as amended
1516 by this act, for an order restricting the dissemination of the registration
1517 information, or removing such restriction. Such notice shall be in
1518 writing and notify each person of the nature of the exemption or of the
1519 restriction or removal of the restriction being applied for, the address
1520 and telephone number of the court to which the application or petition
1521 by the person was made, and the date and place of the hearing or
1522 session, if any, scheduled on the application or petition.

1523 Sec. 25. Subsection (b) of section 54-230a of the general statutes is
1524 repealed and the following is substituted in lieu thereof (*Effective*
1525 *October 1, 2009*):

1526 (b) Upon receipt of notice from a person pursuant to subsection (b)
1527 of section 54-227, as amended by this act, the Victim Services Unit
1528 within the Department of Correction shall notify by certified mail all
1529 persons who have requested to be notified pursuant to subsection (b)
1530 of section 54-228, as amended by this act, whenever such person files
1531 an application with the court to be exempted from the registration
1532 requirements of section [54-251 pursuant to subsections (b) or (c) of
1533 said section] 2 or 3 of this act or files a petition with the court pursuant
1534 to section 54-255, as amended by this act, for an order restricting the
1535 dissemination of the registration information, or removing such
1536 restriction. Such notice shall be in writing and notify each person of the
1537 nature of the exemption or of the restriction or the removal of the
1538 restriction being applied for, the address and telephone number of the

1539 court to which the application or petition by the person was made, and
1540 the date and place of the hearing or session, if any, scheduled on the
1541 application or petition.

1542 Sec. 26. Section 54-260b of the general statutes is repealed and the
1543 following is substituted in lieu thereof (*Effective October 1, 2009*):

1544 (a) For the purposes of this section:

1545 (1) "Basic subscriber information" means: (A) Name, (B) address, (C)
1546 age or date of birth, (D) electronic mail address, instant message
1547 address or other similar Internet communication identifier, and (E)
1548 subscriber number or identity, including any assigned Internet
1549 protocol address;

1550 (2) "Electronic communication" means "electronic communication"
1551 as defined in 18 USC 2510, as amended from time to time;

1552 (3) "Electronic communication service" means "electronic
1553 communication service" as defined in 18 USC 2510, as amended from
1554 time to time;

1555 (4) "Registrant" means a person required to register under section
1556 [54-251, 54-252,] 2, 3 or 4 of this act or section 54-253, as amended by
1557 this act, or section 54-254, as amended by this act;

1558 (5) "Remote computing service" means "remote computing service"
1559 as defined in section 18 USC 2711, as amended from time to time; and

1560 (6) "Wire communication" means "wire communication" as defined
1561 in 18 USC 2510, as amended from time to time.

1562 (b) The Commissioner of Public Safety shall designate a sworn law
1563 enforcement officer to serve as liaison between the Department of
1564 Public Safety and providers of electronic communication services or
1565 remote computing services to facilitate the exchange of non-
1566 personally-identifiable information concerning registrants.

1567 (c) Whenever such designated law enforcement officer ascertains
1568 from such exchange of non-personally-identifiable information that
1569 there are subscribers, customers or users of such providers who are
1570 registrants, such officer shall initiate a criminal investigation to
1571 determine if such registrants are in violation of the registration
1572 requirements of section [54-251, 54-252,] 2, 3 or 4 of this act or section
1573 54-253, as amended by this act, or section 54-254, as amended by this
1574 act, or of the terms and conditions of their parole or probation by
1575 virtue of being subscribers, customers or users of such providers.

1576 (d) Such designated law enforcement officer may request an ex
1577 parte order from a judge of the Superior Court to compel a provider of
1578 electronic communication service or remote computing service to
1579 disclose basic subscriber information pertaining to subscribers,
1580 customers or users who have been identified by such provider to be
1581 registrants. The judge shall grant such order if the law enforcement
1582 officer offers specific and articulable facts showing that there are
1583 reasonable grounds to believe that the basic subscriber information
1584 sought is relevant and material to the ongoing criminal investigation.
1585 The order shall state upon its face the case number assigned to such
1586 investigation, the date and time of issuance and the name of the judge
1587 authorizing the order. The law enforcement officer shall have any ex
1588 parte order issued pursuant to this subsection signed by the
1589 authorizing judge within forty-eight hours or not later than the next
1590 business day, whichever is earlier.

1591 (e) A provider of electronic communication service or remote
1592 computing service shall disclose basic subscriber information to such
1593 designated law enforcement officer when an order is issued pursuant
1594 to subsection (d) of this section.

1595 (f) A provider of electronic communication service or remote
1596 computing service that provides information in good faith pursuant to
1597 an order issued pursuant to subsection (d) of this section shall be
1598 afforded the legal protections provided under 18 USC 3124, as

1599 amended from time to time, with regard to such actions.

1600 Sec. 27. Section 54-102g of the general statutes is repealed and the
1601 following is substituted in lieu thereof (*Effective October 1, 2009*):

1602 (a) Any person who has been convicted of a [criminal offense
1603 against a victim who is a minor, a nonviolent sexual offense or a
1604 sexually violent offense] tier one offense, tier two offense or tier three
1605 offense, as those terms are defined in section 54-250, as amended by
1606 this act, or a felony, and has been sentenced on that conviction to the
1607 custody of the Commissioner of Correction shall, prior to release from
1608 custody and at such time as the commissioner may specify, submit to
1609 the taking of a blood or other biological sample for DNA
1610 (deoxyribonucleic acid) analysis to determine identification
1611 characteristics specific to the person. If any person required to submit
1612 to the taking of a blood or other biological sample pursuant to this
1613 subsection refuses to do so, the Commissioner of Correction or the
1614 commissioner's designee shall notify the Department of Public Safety
1615 within thirty days of such refusal for the initiation of criminal
1616 proceedings against such person.

1617 (b) Any person who is convicted of a [criminal offense against a
1618 victim who is a minor, a nonviolent sexual offense or a sexually violent
1619 offense] tier one offense, tier two offense or tier three offense, as those
1620 terms are defined in section 54-250, as amended by this act, or a felony
1621 and is not sentenced to a term of confinement shall, as a condition of
1622 such sentence and at such time as the sentencing court may specify,
1623 submit to the taking of a blood or other biological sample for DNA
1624 (deoxyribonucleic acid) analysis to determine identification
1625 characteristics specific to the person.

1626 (c) Any person who has been found not guilty by reason of mental
1627 disease or defect pursuant to section 53a-13 of a [criminal offense
1628 against a victim who is a minor, a nonviolent sexual offense or a
1629 sexually violent offense] tier one offense, tier two offense or tier three
1630 offense, as those terms are defined in section 54-250, as amended by

1631 this act, or a felony, and is in custody as a result of that finding, shall,
1632 prior to discharge from custody in accordance with subsection (e) of
1633 section 17a-582, section 17a-588 or subsection (g) of section 17a-593 and
1634 at such time as the Commissioner of Mental Health and Addiction
1635 Services or the Commissioner of Developmental Services with whom
1636 such person has been placed may specify, submit to the taking of a
1637 blood or other biological sample for DNA (deoxyribonucleic acid)
1638 analysis to determine identification characteristics specific to the
1639 person.

1640 (d) Any person who has been convicted of a [criminal offense
1641 against a victim who is a minor, a nonviolent sexual offense or a
1642 sexually violent offense] tier one offense, tier two offense or tier three
1643 offense, as those terms are defined in section 54-250, as amended by
1644 this act, or a felony, and is serving a period of probation or parole, and
1645 who has not submitted to the taking of a blood or other biological
1646 sample pursuant to subsection (a), (b) or (c) of this section, shall, prior
1647 to discharge from the custody of the Court Support Services Division
1648 or the Department of Correction and at such time as said division or
1649 department may specify, submit to the taking of a blood or other
1650 biological sample for DNA (deoxyribonucleic acid) analysis to
1651 determine identification characteristics specific to the person.

1652 (e) Any person who has been convicted or found not guilty by
1653 reason of mental disease or defect in any other state or jurisdiction of a
1654 felony or of any crime, the essential elements of which are
1655 substantially the same as a [criminal offense against a victim who is a
1656 minor, a nonviolent sexual offense or a sexually violent offense] tier
1657 one offense, tier two offense or tier three offense, as those terms are
1658 defined in section 54-250, as amended by this act, and is in the custody
1659 of the Commissioner of Correction, is under the supervision of the
1660 Judicial Department or the Board of Pardons and Paroles or is under
1661 the jurisdiction of the Psychiatric Security Review Board, shall, prior to
1662 discharge from such custody, supervision or jurisdiction submit to the
1663 taking of a blood or other biological sample for DNA

1664 (deoxyribonucleic acid) analysis to determine identification
1665 characteristics specific to the person.

1666 (f) The analysis shall be performed by the Division of Scientific
1667 Services within the Department of Public Safety. The identification
1668 characteristics of the profile resulting from the DNA analysis shall be
1669 stored and maintained by the division in a DNA data bank and shall
1670 be made available only as provided in section 54-102j.

1671 (g) Any person who refuses to submit to the taking of a blood or
1672 other biological sample pursuant to this section shall be guilty of a
1673 class A misdemeanor.

1674 Sec. 28. Sections 54-251 and 54-252 of the general statutes are
1675 repealed. (*Effective October 1, 2009*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2009</i>	54-250
Sec. 2	<i>October 1, 2009</i>	New section
Sec. 3	<i>October 1, 2009</i>	New section
Sec. 4	<i>October 1, 2009</i>	New section
Sec. 5	<i>October 1, 2009</i>	54-253
Sec. 6	<i>October 1, 2009</i>	54-254
Sec. 7	<i>October 1, 2009</i>	New section
Sec. 8	<i>October 1, 2009</i>	New section
Sec. 9	<i>October 1, 2009</i>	54-255
Sec. 10	<i>October 1, 2009</i>	54-256
Sec. 11	<i>October 1, 2009</i>	54-257
Sec. 12	<i>October 1, 2009</i>	54-258(a)
Sec. 13	<i>July 1, 2009</i>	54-259a
Sec. 14	<i>October 1, 2009</i>	New section
Sec. 15	<i>October 1, 2009</i>	53-21
Sec. 16	<i>October 1, 2009</i>	New section
Sec. 17	<i>October 1, 2009</i>	New section
Sec. 18	<i>October 1, 2009</i>	8-45a
Sec. 19	<i>October 1, 2009</i>	18-78b
Sec. 20	<i>October 1, 2009</i>	20-327b(d)(2)(G)

Sec. 21	<i>October 1, 2009</i>	53a-30(a)
Sec. 22	<i>October 1, 2009</i>	54-227(b)
Sec. 23	<i>October 1, 2009</i>	54-228(b)
Sec. 24	<i>October 1, 2009</i>	54-230(b)
Sec. 25	<i>October 1, 2009</i>	54-230a(b)
Sec. 26	<i>October 1, 2009</i>	54-260b
Sec. 27	<i>October 1, 2009</i>	54-102g
Sec. 28	<i>October 1, 2009</i>	Repealer section

Statement of Purpose:

To implement the Governor's budget recommendations.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]